

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 60, 65, 70 and 71 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 60-71 remain pending in this application.

Claim Objections

Claims 60, 65, 70 and 71 were objected to for containing “various if-statements within numerous limitations.” Office Action dated June 25, 2009, page 2. Applicant has amended claims 60, 65, 70 and 71 to amend the language objected to by the Examiner. The objection to the claims should now be withdrawn.

Claim Rejections

Claims 60, 64, 65, 69, 70 and 71 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Janise McNair et al. “An Inter-System Handoff Technique for the IMT-2000 System,” 2000, pp. 208-216 (hereinafter “McNair”). Applicant respectfully traverses this rejection for at least the following reasons.

As noted in an earlier reply, embodiments of the present invention provide a system in which two technology networks can be operated by different operators, and the operators do not require any knowledge of the topology of the other network. The responsibility to decide and control the handover between a first technology network and a second technology

network is handled by the mobile node, and information for deciding on the handover is detected by the mobile node. Thus, the mobile node itself decides to initiate a handover procedure between technology networks, which requires that the decision to initiate the procedure constitute an automatic process.

In accordance with the pending claims, the mobile node detects border information in a beacon of a first signal received from an access node with which the mobile node is connected. The mobile node further detects a signal strength from a second signal received from the access node. If the border information indicates that the mobile node is in a non-border region and if the signal strength is below a predetermined threshold, the mobile node waits for a predefined time. After the predefined time has passed, the mobile node detects a signal strength from a third signal received from the access node. If the signal strength is still below a predetermined threshold, the mobile node initiates handoff from a first technology network to a second technology network.

Independent claims 60, 65, 70 and 71 recite the above-noted features. McNair fails to teach or suggest various features of the pending claims.

First, the Examiner cites McNair as disclosing “detecting border information in a beacon” at McNair, page 210, Section A. Specifically, McNair discloses that when the MT approaches boundary cells of a network, “the MT can hear beacons from network 1 base stations as well as network 1 boundary cell base stations.” While McNair discloses that the MT can hear beacons, there is no teaching or suggestion in McNair of detecting border information in a beacon, as recited in the pending claims. Further, for the same reason, McNair fails to teach or suggest “indication by the border information in the beacon that the mobile node is in a non-border region,” as recited in the pending claims.

Second, the Examiner cites McNair as disclosing “detecting a signal strength from a second signal” at McNair, page 211. Applicant respectfully disagrees with the Examiner’s interpretation of the disclosure of McNair as applied to the pending claims. Specifically, in accordance with embodiments of the present invention, signal strength (e.g., WLAN signal strength) is detected by the mobile node from a signal received from the same access point as

the first signal. Applicant respectfully notes that the antecedent basis for “detecting a signal strength from a second signal received from the access node” is provided in “detecting border information ... first signal received from an access node” Further reference may be made to the originally filed specification and drawing at, for example, Figures 8 and 9 and page 14, line 8 to page 16, line 2. By contrast, McNair discloses comparison of signal strength of signals from “surrounding base stations for both systems.”

Thus, McNair fails to teach or suggest at least the above-noted features of the pending claims and, therefore, fails to anticipate the claims. Accordingly, independent claims 60, 65, 70 and 71 are patentable. Claims 64 and 69 depend from allowable claims 60 and 65, respectively, and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Claims 61, 62, 66 and 67 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McNair in view of U.S. Patent No. 7,039,409 to Lobinger et al. Claims 63 and 68 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McNair in view of U.S. Patent No. 7,149,524 to Reynolds.

Claims 61, 62, 63, 66 and 67 each depend from one of allowable claims 60 or 65 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the

credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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